

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SCOTT BASTERASH, et al.,)
)
)
Plaintiffs,)
)
v.) Case No. 13 C 7814
)
)
MedX, INC., et al.,)
)
)
Defendants.)

MEMORANDUM ORDER

This Court has received the parties' "Joint Motion for Approval of Settlement" (Dkt. No. 96) as well as its Exhibit A captioned "Confidential Settlement Agreement and Mutual Release" (Dkt. No. 96-1). It has reviewed both documents with care in light of the prohibition as to private settlements established by the caselaw applicable to the Fair Labor Standards Act (the "Act") (see, e.g., Walton v. United Consumers Club, Inc., 786 F.2d 303, 306 (7th Cir. 1986)).

This memorandum order vacates the August 26, 2015 minute entry dealing with disposition of this action (Dkt. No. 95) and confirms instead:

1. that the settlement reflected in Dkt. Nos. 96 and 96-1 (the "Settlement") is a product of "contested litigation," as the Act requires; and
2. that the Settlement reflects a fair and reasonable resolution of a bona fide dispute in all respects, including but not limited to those matters specified in Dkt. No. 96-1.

Accordingly this Court holds that the Settlement is both fair and reasonable and it therefore approves the Settlement, so that this action is dismissed without prejudice. Upon advice from counsel that the Settlement has been implemented by the payments provided for in

Paragraph 4 of Dkt. No. 96-1 (which is presently anticipated will take place on or about September 10, 2015), the dismissal of this action will become with prejudice, and this Court will enter a minute entry reflecting that disposition.



Milton I. Shadur
Senior United States District Judge

Date: September 1, 2015